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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/612,159	07/02/2003	Raanan Liebermann	03-123	4136
34704 7590 03/27/2008 BACHMAN & LAPOINTE, P.C. 900 CHAPEL STREET SUITE 1201 NEW HAVEN, CT 06510				
EXAMINER				
EDWARDS JR, TIMOTHY				
ART UNIT		PAPER NUMBER		
2612				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/612,159

Applicant(s)

LIEBERMANN, RAANAN

Examiner

Timothy Edwards, Jr.

Art Unit

2612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2 and 6-40 is/are rejected.
- 7) ☒ Claim(s) 3-5 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-946)
- 3) ☐ Information Disclosure Statement(s) (PTO/CDC)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 2, 7, 9-13, 15, 16, 21-23 are rejected under 35 U.S.C. 102(e) as being anticipated by Smith, Jr. et al US 6,490,343.

Considering claim 1, Smith discloses a device comprising a) a first means for manually inputting a series of words in the form of a code (see col 3, lines 2-13); b) a second means for manually inputting an action to be performed by the device (see col 3, lines 42-49); c) a third means for manually inputting a preference (see col 3, lines 18-21); d) a fourth means for manually inputting communication instructions (see col 3, lines 24-35).

Considering claim 2, Smith discloses the limitations of this claim (see col 6, lines 55-58).

Considering claim 7, Smith discloses the limitation of this claim (see col 6, lines 13-16 and lines 55-58).

Considering claim 9, Smith discloses the limitation of this claim (see col 5, lines 10-22).

Considering claims 10-13, Smith discloses the limitations of these claims (see col 3, lines 54-64 and col 5, line 57 to col 6, line 3 and lines 13-23).

Considering claim 15, Smith discloses the limitation of this claim (see col 5, line 57 to col 6, line 3).

Considering claim 16, Smith discloses the limitation of this claim (see col 6, lines 13-23).

Considering claim 21, Smith discloses the limitation of this claim (see col 5, lines 47-56).

Considering claim 22, Smith discloses the limitation of this claim (see col 6, lines 55-66).

Considering claim 23, Smith discloses the limitation of this claim (see col 5, lines 22-24).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Smith as applied to claim 1 above, and further in view of Ellis US 6,556,148.

Considering claim 6, Smith does not specifically recite his device attached to a cane. Ellis discloses a cane comprising features of a mobile phone. Therefore, it would have been obvious to one of ordinary skill in the art to use the Smith device in a cane as taught by Ellis because both references are concerned with aiding the visually impaired.

5. Claims 8, 14, 17-20, 24-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith.

Considering claim 8, examiner takes official notice an on/off switch on any device is well known in the art.

Considering claim 14, examiner takes official notice an emergency call switch or switches on a device is well known in the art.

Considering claim 24, examiner takes official notice a processor programmed to send emergency information to a user is well known in the art.

Considering claims 17-20 and 25-28 Smith does not specifically recite the limitations of these claims. However, Examiner interprets claims 17-20 and 25-28 to recite functions that are related to a GPS navigational device. One of ordinary skill in the art is fully aware of several types of handheld devices having depressible keys; an internal processor and a memory are also known to comprise GPS functions. Therefore, it would have been obvious to one of ordinary skill in the art a mobile communication

device comprises GPS functions. Therefore, Examiner takes Official Notice these limitations are well known in the art.

6. Claims 29, 31, 33-35 rejected under 35 U.S.C. 102(b) as being anticipated by Franklin et al. US 5,388,992.

Considering claim 29, Franklin discloses a system for a hearing impaired and/or a blind person comprising a) input means for receiving information about an oral presentation being made as a part of a television program (see col 5, lines 21-30); b) means associated with an input means for transmitting a signal to a body part representative of words being spoken as part of oral presentation (see col 6, lines 25-47).

Considering claim 31, Franklin discloses the limitation of this claim (see col 7, lines 9-26).

Considering claim 33, Franklin discloses the limitation of this claim (see col 7, lines 15-34).

Considering claim 34, Franklin discloses the limitation of this claim (see col 8, lines 13-16).

Considering claim 35, Franklin discloses the limitation of this claim (see col 14, lines 29-43).

7. Claims 30, 32, 36-40 rejected under 35 U.S.C. 103(a) as being unpatentable over Franklin.

Considering claim 30, Franklin does not specifically recite means for transmitting an electric current to a body part. Franklin teaches sending a vibration to a user (see col 6, lines 55-63 and col 14, lines 29-43). In the environment of a hearing impaired or blind person there must be a means to get the attention of a user to convey information of interest to the handicap person. Franklin teaches the use of vibration to alert a user. Therefore, it is obvious to one of ordinary skill in the art to use any alternative method that would be perceivable to the handicap person and obtain the users attention.

Considering claim 32, the limitation of this claim is interpreted and rejected as stated in claim 30.

Considering claim 36-40, Franklin does specifically recite the limitations of these claims. However, Examiner takes Official Notices these limitations are well known in the art.

Allowable Subject Matter

8. Claims 3-5 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 4 and 5 are objected to because they depend from claim 3.

Conclusion

If the claimed invention is amended, Applicant is respectfully requested to indicate the portion(s) of the specification, which dictate(s) the structure/description relied upon to assist the Examiner in proper interpretation of the amended language and also to verify and ascertain the metes and bounds of the claimed invention.

Any inquiry concerning this communication should be directed to Examiner Timothy Edwards, Jr. at telephone number (571) 272-3067. The examiner can normally be reached on Monday-Thursday, 8:00 a.m.-6:00 p.m. The examiner cannot be reached on Fridays.

If attempt to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Zimmerman, can be reached at (571) 272-3059.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (571) 272-4700, Mon-Fri., 8:30 a.m.-5:00 p.m.

Any response to this action should be fax to:

(571) 273-8300 (for formal communications intended for entry).

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For

more information about the PAIR system, see <http://pair-direct.uspto.gov> or contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Timothy Edwards, Jr./
Primary Examiner, Art Unit 2612
March 27, 2008